

REMARKS

Applicants respectfully request reconsideration of this application as amended. Claims 1-68 have been amended. Claim 69-74 have been cancelled prejudice. No new claims have been added. Therefore, claims 1-68 are now presented for examination.

Restriction Requirement

Applicants hereby confirm that claims 1-68 have been elected for consideration. Claims 69-74 have been cancelled without prejudice. Applicants reserve the right to pursue claims of breath similar to those of the cancelled claims in or more continuation applications.

Drawings

Figures 1a, 5 and 6 are objected to as failing to comply with 37 CFR §1.84(p)(4).

Applicants hereby submit replacement sheets for Figures 1a, 5 and 6 to overcome the drawing objection.

35 U.S.C. § 112 Rejection

Claim 5-15 and 43-53 stand rejected under 35 U.S.C. §112, second paragraph.

Claims 5-15 and 43-53 have been amended to overcome the rejection.

35 U.S.C. § 103 Rejection

Claims 1-10, 12-14, 16, 20 23-25, 27-48, 50-52, 54, 57-68 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lager et al., U.S. Patent No. 6,636,502 ("Lager") in view of Pines et al., U.S. Patent Application No. 2003/0007625 ("Pines").

As an initial matter, Applicants respectfully submit that although the Examiner

points to various components in Figure 8, particularly to the “*switching device (PLMN-SW)*”, of Lager, nothing particular is disclosed in the reference or pointed to in the Office Action to teach every element of claim 1 (Office Action, mailed 11.02.05, pages 5-6; see Lager, col. 10, line 66-col. 13, line 3; emphasis provided). This does not satisfy the requirement that to anticipate a claim, the reference must teach every element of the claim (MPEP § 2131; see Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987), see also Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). Thus, claims 1-10, 12-14, 16, 20 23-25, 27-48, 50-52, 54, 57-68 and 19-25 are not anticipated by Lager.

However, to the extent Lager is relevant, claim 1, as amended, in pertinent part, recites “wireless access integrated node directly intermediating between the plurality of mobile stations and at least one packet data network to provide a wired or wireless dedicated broadband connection . . . [and] a database containing subscription, operating, and charging information for the plurality of mobile stations attached to the wireless access integrated node” (emphasis provided). Lager does not disclose or reasonably suggest “directly intermediating . . . to provide a wired or wireless dedicated broadband connection” or a “database containing subscription, operating, and charging information for the plurality of mobile stations” as recited by claim 1. Pines, like Lager, does not disclose or reasonably suggest “directly intermediating . . . to provide a wired or wireless dedicated broadband connection” or a “database containing subscription, operating, and charging information for the plurality of mobile stations” as recited by claim 1. Hence, Pines adds nothing relevant to Lager at least with regard to claim 1.

Accordingly, Applicants respectfully request the withdrawal of the rejection of claim 1 and its dependent claims.

Claim 39 contains limitations similar to those of claim 1. Accordingly, Applicants respectfully request the withdrawal of the rejection of claim 39 and its dependent claims.

Claims 11, 15, 49 and 53 stand rejected under 35 U.S.C. §103(a), as being unpatentable over Lager, in view of Gaffney, U.S. Patent No. 6,333,919 (“Gaffney”).

Claim 17 stands rejected under 35 U.S.C. §103(a), as being unpatentable over Lager, in view of Doviak et al., U.S. Patent No. 6,418,324 (“Doviak”).

Claims 18-19 and 21-22 stand rejected under 35 U.S.C. §103(a), as being unpatentable over Lager, in view of Swartz, U.S. No. 2003/0053444 (“Swartz”).

Claim 26 stands rejected under 35 U.S.C. §103(a), as being unpatentable over Lager, in view of McNiff et al., U.S. No. 2003/0076808 (“McNiff”).

Claims 11, 15, 17-19, 21-22, 26, 49 and 53 depend from one of claims 1 and 39 and thus include all the limitations of the claim from which they depend. Accordingly, Applicants request the rejection of claims 11, 15, 17-19, 21-22, 26, 49 and 53 be withdrawn.

Conclusion

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicants respectfully petition for a two-month extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a). A check in the amount of \$450.00 is included for this purpose.


Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: April 1, 2005


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AMENDMENTS TO THE DRAWINGS

Replacement sheet for Figure 1a, submitted herewith, designates “Mobile Switch” as “18”.

Replacement sheet for Figure 5, submitted herewith, designates “Database” as “20”.

Replacement sheet for Figure 6, submitted herewith, designates the two boxes labeled as “MS” as “10”.